



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrew D. Murdin, et al.
Appl'n. No. : 09/391,606
Filed : September 7, 1999
Title : IMMUNOGENIC COMPOSITIONS FOR PROTECTION
AGAINST CHLAMYDIAL INFECTION
Grp./A.U. : 1632
Examiner : Shin Lin Chen
Docket No. : 1038-971 MIS:ja
Date : October 4, 2002

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The Commissioner of Patents
and Trademarks,
Washington, D.C. 20231,
U.S.A.

OCT 10 2002

OFFICE OF PETITIONS

PETITION TO REVIVE OF AN ABANDONED APPLICATION

UNDER THE PROVISIONS OF 37 CFR 1.137(B)

Sir:

Petition is hereby made to revive this unintentionally abandoned application. This application stands abandoned for failure to timely respond to an Office Action.

An Office Action of February 22, 2002, had a three month period for response, with a potential three month extension of such date, the final potential date for responding to the Office Action expiring August 22, 2002. An Amendment responsive to the Office Action was prepared and sent by courier to the PTO on August 21, 2002, with a request for three months extension and the extension fee.

Since the courier company, DHL, provides next day delivery for papers directed to the PTO, there was every expectation that the Amendment would be delivered in a timely manner. However, our return postcard, a copy of which is enclosed, indicates that the Amendment was received on August 23, 2002, i.e. beyond the maximum time for response.

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Accordingly, the abandonment was unintentional and this Petition, which is being submitted as soon as practicable following receipt of the return postcard, follows.

In support of the Petition:

1. The required reply had been previously filed on August 23, 2002.
2. Enclosed is the Petition fee as set forth in 37 CFR 1.17(m).
3. It is hereby stated, under the signature of the undersigned, that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional.

Having regard to the above, it is submitted that the application should be revived and returned to pending status.

Respectfully submitted,



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